



January 28, 2010

ELECTRONICALLY FILED

Honorable William H. Walls
U.S. District of New Jersey
Martin Luther King, Jr. Courthouse
50 Walnut Street, Room 4046
Newark, New Jersey 07102

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Re: *Bakke v. Chartis*
Civil Action No. 2:09-cv-06375 (WHW) (CCC)

Dear Judge Walls:

McCarter & English, LLP
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We represent Plaintiffs in the above-captioned action, which is a directors and officers coverage suit in connection with *December 1995 Investment Club v. First Americano Financial Corporation*, 2:09-CV-5534 (DMC) ("Underlying Lawsuit"). Your Honor's law clerk asked me to write a brief explanation of why the parties are requesting a stay of this case. See Dkt # 5.

In short, it is contemplated that the Underlying Lawsuit will be dismissed without prejudice. A Stipulation of Dismissal of Action without Prejudice and Without Costs has been circulated among counsel, and we are awaiting signatures. This will, at least for the time being, obviate the need for the coverage suit. A brief stay will be useful to negotiate the terms of dismissal with Defendants.

Please advise if Your Honor requires any additional information. Many thanks for Your Honor's consideration.

Respectfully submitted,


Brian J. Osias

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